IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24630 of 2004

Between:

P. Kishore Babu, S/o. Anandam, R/o. H.No.1-16/2, (Old) 1-2/2, Mancherial town, Adilabad District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Mancherial, Adilabad District.
2 The Principal, Govt ITI College, Mancherial, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not enquiring into the matter of Govt ITI land and fix the boundaries and taking coercive steps including demolition of structures of House No.
1-16/2 (Old 1-2/2) situated at Mancherial town, Adilabad District belonging to the petitioner is as illegal, improper and consequently direct the respondents to conduct enquiry into the matter of Govt ITI land and fix the boundaries and not to take coercive steps against the petitioner's house bearing No.1-16/2 (Old 1-2/2) situated at Mancherial town, Adilabad District.

For the Petitioner: MR.M.YESHWANTH KUMAR, Advocate.

For the Respondent No.1: GP FOR REVENUE

For the Respondent No.2: GP FOR HIGHER EDUCATION

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Revenue appearing on behalf of respondent No.1 and the learned Government Pleader for Higher Education appearing for respondent No.2.

The petitioner claims to be owner of the house bearing No.1-16/2 (old 1-2/2) admeasuring 100.4 square yards in Survey No.255 of Mancherial town, situated adjacent to the land belonging to the second respondent-ITI. He states that some persons appear to have encroached into the land of the ITI, and the second respondent had provoked his students to dispossess and remove the structures raised by the encroachers, and during the course of their activities, the students illegally tried to demolish the structures of the petitioner. His grievance is that as the students and the employees of the ITI are frequently coming to his house and threatening to demolish the structures, he made a representation dated 18-12-2004 to the first respondent-Mandal Revenue Officer to enquire into the matter, but no action has been taken so far. Hence, the writ petition.

Inasmuch as the second respondent-principal was stated to have provoked his students to take coercive steps in demolishing the structures of the petitioner, the petitioner can seek his remedies by filing a criminal case against the principal and his students, but not by invoking the extraordinary jurisdiction under Article 226 of the Constitution of India. The petitioner has no locus standi to file the present writ petition, which has no merit.

Accordingly, the writ petition is dismissed at the stage of admission. No costs.

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N.V. RAMANA, J

Date: 29-12-2004

Svv

To

1 The Mandal Revenue Officer, Mancherial, Adilabad District.
2 The Principal, Govt ITI College, Mancherial, Adilabad District.

3 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CCs. to the Government Pleader for Higher Education, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies.